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**CITY OF GAITHERSBURG
MINUTES OF THE SEPTEMBER 17, 2007
HISTORIC DISTRICT COMMISSION MEETING**

A meeting of the Historic District Commission was called to order at 8:15 p.m., Chair Katz presiding. Commissioners present: Alster, Edens, Marraffa, Schlichting and Sesma. Staff present: City Manager Humpton, Planning and Code Administration Director Ossont, Planners Marsh and Patula, City Attorney Borten and Executive Assistant Stokes.

APPROVAL OF MINUTES

Motion was made by Commissioner Sesma, seconded by Commissioner Alster, that the minutes of a Historic District Commission meeting held August 20, 2007, be approved.

Vote: 5-0-1 (Abstained: Edens)

CERTIFICATES OF APPROVAL

• **HAWP-79A - Applicants: John Henry and Keana Scott, 106 Chestnut Street, Tree Removal**

Planner Marsh stated the request proposes to remove a thirty-six inch white oak tree from the front of the property. The tree is in decline and a certified arborist has issued an opinion that the tree represents a high risk of failure. Staff and the Historic Preservation Advisory Committee (HPAC) recommend that the Historic District Commission grant approval.

Motion was made by Historic District Commissioner Edens, seconded by Commissioner Alster, that the Historic District Commission grant approval of HAWP-79A and issue the Certificate of Approval, finding, based on the record before HPAC and for the reasons articulated by HPAC, that the application meets Secretary of Interior Standards Two and the Chestnut/Meem Historic District Design Guidelines.

Vote: 6-0

• **HAWP-104 – Applicant: Peter Geiling for the City of Gaithersburg, Request to Construct Rolling Stock Park at the Baltimore and Ohio Railroad Station, 5-7 South Summit Avenue**

Planner Patula stated the request proposed will include the addition of a museum “annex” (a railroad car). HPAC held a public hearing on August 2, 2007 and recommended approval finding that the traded railroad cars add to the historic appropriateness of the site and being moveable do not affect the integrity of the historic property. She added that the Planning Commission granted conditional approval to the project, known as site plan AFP-07-024 on September 5, 2007. The conditions relate to drainage and safety issues, the selection of a park bench with a center arm, and that the applicant receives a historic area work permit.

Motion was made by Historic District Commissioner Alster, seconded by Commissioner Schlichting, that the Historic District Commission grant approval of HAWP-104, and issue the Certificate of Approval, finding, based on the record before HPAC and for the reasons articulated by HPAC, that the application meets Secretary of Interior Standards One, Nine, and Ten, with the conditions listed by the Planning Commission.

Vote: 6-0

PUBLIC HEARING

- **HAWP-95A (Retroactive) - Applicant: Irfan Khan, 112 Meem Avenue, Request for Amendment to HAWP-95 (Retroactive), for a Change of Materials/Window Style/Roof**

Planner Patula stated that HAWP-95A was duly advertised in the *Gaithersburg Gazette* on August 29, 2007. At the present time, there are 43 exhibits in the record file. The property is a non-contributing resource to the Chestnut/Meem Historic District. The application is proposing a retroactive amendment to HAWP 95, which was approved by the Historic District Commission on June 6, 2005, for a rear and front addition. Based on the findings, the new addition met the design criteria of the Chestnut/Meem Design Guidelines, which dictate that new work, harmonize with the scale and character of the house. She stated that there was one condition of approval at that time which was that the vertical siding pattern on the front gable be used to match that of the side gable. The applicant proceeded with work on the existing house which now does not conform with the approved plan, so he is requesting a retroactive amendment to the approved plan to permit the completion of the work. The modifications include changes to windows, roof style and materials. Planner Patula pointed out the applicable criteria for additions to houses in the Historic District include the Design Guidelines for that Historic District. Also, the Secretary of Interior Standard Nine of the City Code, Section 24-228.2, refers to the relationship of the addition to the house.

Irfan Khan, 112 Meem Avenue stated that the addition began about two years ago and in the original plan, there was a condition regarding vertical siding. During construction, he decided to put all the brick which he believes is an improvement to the neighborhood. Mr. Khan stated that he changed the size of the windows because of its south orientation to allow more sunlight into the house.

Commissioner Marraffa questioned the process for a new addition and the involvement of Code Enforcement staff to inspect the site for materials being used and actual code violations. Planner Patula stated that Mr. Khan is now working with staff and several corrections to the house have been made following a recent inspection. Planning and Code Administration Director Ossont added that site checks are done, especially an HAWP. The problem with this particular property was the inspections were never called in, but Code Enforcement Officers are now working with Mr. Khan to correct code issues. The public hearing before the Commission is for materials, size of the windows, and incompatible siding. In response to a question, he stated that permits are valid for six months and before expiration, staff receives notification and will renew the permit for an additional six months upon inspection of the site.

Commissioner Sesma stated that he has visited the site and noticed that the applicant has deviated from the approved plan and the brick façade does not match the architecture of other neighboring homes.

Aurangzeb Mughal, 98 Meem Avenue expressed no opposition and stated that comments heard from neighbors are that they like the construction of the new addition.

Motion was made by Historic District Commissioner Alster, seconded by Commissioner Edens, that the Historic District Commission hold the record open on HAWP-95A (Retroactive), for seven (7) days until 5 p.m. on Monday, September 24, 2007, with an anticipated policy discussion on Monday, October 1, 2007.

Vote: 6-0

ADJOURNMENT

There being no further business to come before the Historic District Commission, the meeting was duly adjourned at 8:30 p.m.

Respectfully submitted,

Doris R. Stokes

Executive Assistant